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FORM**

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Total Number of Pages in This Submission

Application Number	10/550,213 (PCT/US2004/030781)
Filing Date	September 17, 2005
First Named Inventor	Joseph P. KENNEDY, et al.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	GRA26 020 PCT

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Reply to Written Opinion
Remarks The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DUANE MORRIS LLP		
Signature			
Printed name	MARK C. COMTOIS		
Date	January 9, 2006	Reg. No.	46,285

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PCT/US04/30781 - 09012005

ATTORNEY DOCKET NO. GRA26 020 PCT

IN THE UNITED STATES RECEIVING OFFICE

In re the Application of ANDREW CORPORATION

International Application No.: PCT/US2004/030781

Serial Application No.: 10/550,213

Filed: 17 September 2004

For: SYSTEM AND METHOD OF OPERATION FOR NETWORK OVERLAY
GEOLOCATION SYSTEM WITH REPEATERS

REPLY TO WRITTEN OPINION

United States Receiving Office
United States Patent and Trademark Office
Washington, D.C. 20231

Sir:

The Written Opinion from the International Preliminary Examining Authority in the subject application was mailed on 08 November 2005. Consideration of the following remarks is solicited.

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REMARKS

The Written Opinion asserts that Claims 8 and Claims 27-30 are obvious over Baker in view of Kuwahara and Durrant in view of Kuwahara respectively. The Written Opinion's reliance on Kuwahara is improper.


The Written Opinion states that Kuwahara teaches (i) determining a timing advance of the received uplink signal, (ii) comparing the timing advance with a known equivalent propagation distance associated with each of the repeaters and (iii) determining whether the uplink signal is received directly or via one of the repeaters based on the comparison.

Kuwahara does not disclose a teaching for (i), (ii) or (iii). Kuwahara discloses determining the delay time of a downlink signal received at a mobile terminal (see fig 2, para [0052]). In Kuwahara the mobile terminal determines its location from the downlink signal, not the uplink signal as recited in the claims.

Kuwahara discloses comparing the delay with a threshold determined by double the distance between the base stations [para [0052]] and not with an equivalent propagation distance associated with the repeaters as cited in the claims. In fact Kuwahara specifically states "This embodiment... [is] not based on distance difference between a base station and its repeater."(para [0052]).

Baker, Durrant and Kuwahara alone or in combination, fail to disclose each and every feature of the subject claims and therefore cannot form a basis of an obvious type rejection. Additionally, the teachings of Kuwahara cannot be applied to Baker and Durant. The Applicant submits Claims 1-30 are patentable over the cited art.

Respectfully submitted,

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